IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1645 OF 2006

IN

WRIT PETITION NO. 10854 OF 2004

Office Notes, Office Memoranda of : coram, appearances, Court's Orders: or directions and Registrar Orders:	Court's or Judge's orders

Mr.S.R. Ganbavale for the Applicants.

Mrs.M.P. Thakur, A.G.P. for Respondent No.1.

CORAM : H.L. GOKHALE &
J.H. BHATIA, JJ.

DATE : 14TH JULY 2006

P.C. :

1. Heard Mr.Ganbavale in support of this Civil Application which is filed by the Petitioner - M.P.S.C. Mr.Sthalekar, who appears for Respondent No.2, has been served. Mrs.Thakur, A.G.P. is present for Respondent No.1.

2. The application points out that having conducted appropriate inquiries, the M.P.S.C. is of the view that there are no allegations against most of the candidates who gave the examination in

the year 1999 though there were complaints against 424 from amongst them. A Division Bench of this Court, to which one of us (Gokhale J.) was a party, had directed by its order dated 14th July 2005 that a hearing be provided to some 141 of these candidates. Mr.Ganbavale states that the hearing has been provided and the Commission is of the view that not only 141 candidates but the entire group of 424 candidates should be kept back and their results should not be declared. The Commission however has no objection to declare the results of the other candidates. Inasmuch as the matter is pending in this Court, a prayer is made that the Commission be permitted to declare the results of all these candidates other than 424 candidates about whom there is a grievance and who have been blacklisted.

3. We see no reason as to why the application should not be granted. We are satisfied that the Secretary of he Commission Smt.Seema Dhamdhere has conducted the necessary inquiry and

thereafter filed an additional affidavit affirmed today. We have perused the same. We grant this civil application in terms of prayer (b) permitting the Commission to declare the results of all the candidates excluding 424 blacklisted candidates. C.A. disposed of.

(H.L. GOKHALE, J.)

(J.H. BHATIA, J.)